

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHAN C. NICKEL,

Defendant.

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8:10CR26

ORDER

This matter is before the court on the government's motion to continue trial (Doc. 16). For good cause shown,

IT IS ORDERED that the motion to continue trial (Doc. 16) is granted, as follows:

1. The jury trial now set for March 9, 2010 is continued to **April 6, 2010**.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **March 9, 2010 and April 6, 2010**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because the failure to grant a continuance would deny the defendant reasonable time to obtain counsel, would unreasonably deny the defendant or the Government continuity of counsel, or would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

3. Defendant shall file the affidavit or declaration required by NECrimR 12.1(a) as soon as is practicable.

DATED February 23, 2010.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**